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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT SEATTLE

5 IMPORVENDA PRODUTOS ALIMENTARES,
6 LDA,

7 Plaintiff(s),

8 v.

9 ADAK FISHERIES LLC,

10 Defendant(s).

NO. C05-258MJP

ORDER ON MOTION TO REOPEN
CASE

11 The above-entitled Court, having received and reviewed:

- 12 1. Plaintiff Motion to Reopen Case (Dkt. No. 39)
13 2. Defendant Response to Motion (Dkt. No. 43)
14 3. Plaintiff Reply in Support of Motion (Dkt. No. 44)

15 and all attached exhibits and declarations, makes the following ruling:

16 IT IS ORDERED that the motion is DENIED; the case is closed.

17 The parties settled this matter nearly three years ago and agreed to a dismissal with prejudice.
18 Proof has been provided that the documents required by the Settlement Agreement were delivered.
19 Adolph Declaration, Dkt. No. 40. The settlement was final and no legal basis for overturning the
20 dismissal with prejudice has been provided. Plaintiff has certainly provided no legal authority for the
21 proposition that the parties can stipulate to continued jurisdiction over a matter which has been
22 dismissed.

1 Plaintiff received the benefit of its bargain in the Settlement Agreement. If it feels it has been
2 wronged in some new fashion, it must pursue its remedy in separate litigation.

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4 The clerk is directed to provide copies of this order to all counsel of record.

5 Dated: December 17, 2008

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8 Marsha J. Pechman
9 U.S. District Judge
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